

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

WAPP TECH LIMITED PARTNERSHIP and  
WAPP TECH CORP.,

*Plaintiffs,*

V.

WELLS FARGO BANK, N.A.,

*Defendant.*

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Case No. 4:21-cv-00671-ALM

## JURY TRIAL DEMANDED

## AGREED ORDER TO EXTEND PRE-TRIAL DEADLINES

Amended Deadline	Existing Deadline	Deadline Description
	July 18, 2022	Comply with P.R. 3-7 on designation of willfulness opinions.
October 1, 2022	August 5, 2022  30 days after entry of the claim construction order	Mediation deadline.
October 20, 2022	August 18, 2022	Deadline for Initial Mandatory Disclosure of all persons, documents, data compilations, and tangible things, which are relevant to a claim or defense of any party and which has not previously been disclosed. This deadline is not an extension of earlier deadlines set out in this court's order or that Patent Rules, nor an excuse to delay disclosure of information. It is a catchall deadline for provision of all remaining information that may be relevant to a claim or defense of any party at trial.


October 20, 2022	August 18, 2022	Fact Discovery Deadline. All discovery must be served in time to be completed by this date.
October 27, 2022	August 25, 2022	Parties with burden of proof to designate Expert Witnesses other than claims construction experts and provide their expert witness reports, to include for ALL experts all information set out in Rule 26(2)(B).
November 22, 2022	September 20, 2022	Parties designate expert witnesses on issues for which the parties do not bear the burden of proof, and provide their expert witness report, to include for ALL experts all information set out in Rule 26(2)(B).  Objections to any expert, including Daubert motions, shall be filed within 3 weeks of the Expert Report disclosure. Such objections and motions are limited to ten pages.
December 13, 2022		Objections to any expert, including Daubert motions, shall be filed within 3 weeks of the Expert Report disclosure. Such objections and motions are limited to ten pages.
December 1, 2022	September 29, 2022	Deadline to file dispositive motions and any other motions that may require a hearing. Regardless of how many dispositive motions a party files, each party is limited to a total of sixty pages for such motions. Each individual motion shall comply with Local Rules CV-7.  Responses to motions shall be due in accordance with Local Rule CV-7(e).  Expert Discovery deadline
December 22, 2022		Responses to Dispositive Motions
December 23, 2022		Responses to expert objections/Daubert Motions

January 5, 2023		Replies to Dispositive Motions
January 6, 2023		Replies to expert objections/Daubert Motions
January 12, 2023		Sur-replies to Dispositive Motions
January 13, 2023		Sur-replies to expert objections/Daubert Motions
January 20, 2023	January 13, 2023	<p>Notice of intent to offer certified records.</p> <p>Counsel and unrepresented parties are each responsible for contacting opposing counsel and unrepresented parties to determine how they will prepare the Joint Final Pretrial Order (See <a href="http://www.txed.uscourts.gov">www.txed.uscourts.gov</a>) and Proposed Jury Instructions and Verdict Form (or Proposed Findings of Fact and Conclusions of Law in nonjury cases)).</p>
January 26, 2023	January 19, 2023	<p>Deposition Designation due. Each party who proposes to offer a deposition shall serve on all other parties a disclosure identifying the line and page numbers to be offered. All other parties will have seven calendar days to serve a response with any objections and requesting cross-examination line and page numbers to be included. Counsel must consult on any objections and only those which cannot be resolved shall be presented to the court.</p> <p>The party who served an initial Video Deposition Designation is responsible for preparation of the final edited video in accordance with all parties' designations and the Court's rulings on objections.</p>
January 25, 2023	January 18, 2023	<p>Motions in limine due.</p> <p>File Joint Final Pretrial Order (see <a href="http://www.txed.uscourts.gov">www.txed.uscourts.gov</a>.) Exchange Exhibits and deliver copies to the court. At this date, all that is required to be submitted to the court is a</p>

		<p>hyperlinked exhibit list on disk (2 copies) and no hard copies.</p> <p>If Parties will be requesting daily copy of the transcript during trial, they must notify the Court's court reporter Chris Bickham, <a href="mailto:Chris_Bickham@txed.uscourts.gov">Chris_Bickham@txed.uscourts.gov</a> by this date.</p>
February 2, 2023	January 26, 2023	Objections and counter deposition designations due. Counsel must consult on any objections and only those that cannot be resolved shall be presented to the court. The party who filed the initial Video Deposition Designation is responsible for preparation of the final edited video in accordance with all parties' designations and the court's rulings on objections.
February 8, 2023	February 3, 2023	<p>Responses to motions in limine due.</p> <p>File objections to witnesses, depositions extracts, and exhibits, listed in pre-trial order. This does not extend the deadline to object to expert witnesses. If numerous objections are filed, the court may set a hearing prior to docket call.</p> <p>File Proposed Jury Instructions and Form of Verdict (or Proposed Findings of Fact and Conclusions of Law).</p>
February 17, 2023	February 17, 2023	<b>Final Pretrial Conference</b> at 9:00 a.m. at the Paul Brown United States Courthouse located at 101 East Pecan Street in Sherman, Texas.
	TBD	Jury selection and trial at 10:00 a.m. at the Paul Brown United States Courthouse located at 101 East Pecan Street in Sherman, Texas.

**IT IS SO ORDERED.**

**SIGNED this 22nd day of July, 2022.**

  
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AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE